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October 20, 2005

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Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Art Unit 1633

Attn: Mail Stop Amendment

Re:

U.S. Utility Patent Application

Application No. 09/843,922; Filed: April 30, 2001

Negative-Sense RNA Virus Vector for Nerve Cell For:

Inventor:

Fukumura et al.

Our Ref:

2144.0270001/RWE/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Tenth Supplemental Information Disclosure Statement Filing Under 37 C.F.R. § 1.97(c);
- 2. Listing of the cited document on Form PTO/SB/08B (1 sheet);
- A copy of the cited document (AR9) on Form PTO/SB/08B; 3.
- 4. Credit Card Payment Form (PTO-2038) in the amount of \$180.00 to cover the IDS filing fee; and
- 5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox P.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

Commissioner for Patents October 20, 2005 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Frank R. Cottingham Attorney for Applicants Registration No. 50,437

FRC/pcd Enclosures

454193v1



In re application of:

Fukumura et al.

Appl. No.: 09/843,922

Filed: April 30, 2001

For: Negative-Sense RNA Virus Vector

for Nerve Cell

Confirmation No.: 2336

Art Unit: 1633

Examiner: Kelly, Robert M.

Atty. Docket: 2144.0270001/RWE/FRC

Tenth Supplemental Information Disclosure Statement Filing Under 37 C.F.R. § 1.97(c)

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08B is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Tenth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Ninth Supplemental Information Disclosure Statement filed on December 2, 2004, in connection with the above-captioned application. A copy of document AR9 is provided.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent 10/24/2005 HALI11 00000021 09843922

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Fukumura et al. Appl. No. 09/843,922

- 2 -

application does not exist. The Examiner is specifically requested not to rely solely on

the material submitted herewith.

This Information Disclosure Statement is being filed more than three months

after the U.S. filing date AND after the mailing date of the first Office Action on the

merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an

action that otherwise closes prosecution in the application. Attached is our PTO-2038

Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37

C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the

enclosed Form PTO/SB/08B, and indicate in the official file wrapper of this patent

application that the document has been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee

deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Frank R. Cottingham

Attorney for Applicants

Registration No. 50,437

Date: OCT. 20, 2005

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PTO/SB/08B (07-05)
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Substitute for form 1449/PTO				Complete if Known		
TENTH SUPPLEMENTAL				Application Number	09/843,922	
				Filing Date	April 30, 2001	
INFORMA				First Named Inventor	Fukumura, M.	
STATEMENT BY APPLICANT (Use as many sheets as necessary)				Art Unit	1633	
				Examiner Name	Kelly, Robert M.	
Sheet	1	of	1	Attorney Docket Number	2144.0270001/RWE/FRC	

Non Patent Literature Documents						
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T ²			
	AR9	Co-pending United States Application No. 11/178,978, inventors Fukumura, M., et al., filed July 12, 2005 (NOT PUBLISHED)	·			
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Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.